Doctors Fail to Report More Than Fifty Per Cent. of Cases.

DISEASE SWEEPING ON

Undertakers Unable to Care for Dead-Physicians and Nurses Exhausted.

ording to figures based upon an ate that 50 per cent. or less of the cases of influenza are being reported, there were 10,226 new care: yes-

There were actually reported half this number, but Health Commissioner Royal & Copeland believes that only half of the existing cases have been turned in by the physicians.

Roughly estimated, there have been more than 100,000 cases of influenza here since September 18, when the discase was made reportable.

When asked: "How many cases of uenza are there in the city to-day?" Copeland answered:

"In answering this question let us esdays is 30,332. I estimate that the number of cases reported is about 50 per cent. or less of the total number 0,000 cases. This may run considerably

Upon what basis do you estimate that only 50 per cent. of cases are re-

tember 18 we have had reported 48, 024 cases, and during the same time and pneumonia to the numi of 5,102. It is inconceivable that the rate is 10 per cent., which would mber of cases reported and the num-r of death certificates issued.

charge of military camps, where every case is known and kept under tack to its termination, that the death rate is 5 per cent. While military con are different from the conditions of civil life, this proportion must be accepted as reasonably accurate.

Deaths Set at 5 Per Cent.

"Major Lyons, the chief surgeon at amp Upton, in an address at the Kings County Medical Society last evening, which I heard, gave accurate details of the epidemic in that nearby camp. For purpose of approximating the number seople in this city who have actually influenza, we may safely begin our putation with this 5 per cent. death rate reported by Major Lyons. Taking, then, the total number of death cer-tificates issued for influenza and pneula, during the period of the epidemic 5,102, and considering that these figures represent 5 per cent, of the total number ctual number of cases according to this computation would be 102,040. Thereconclude that we are having re-to us about 50 per cent of the number of cases What good are the daily figures then

if they are not reliable?" was an inquiry They give us a very certain index of the progress of the disease in the com-

"There have been statements made by reputable physicians that there are be-tween 100,000 and 200,000 cases of infuenza in this city at the present time. Do you want to make any estimate of the percentage of doctors in the city who ort their cases?" Dr. Copeland was

No, there is no present way of arriv-There were 633 deaths from influenza increase of 75 over the day previous.

That the epidemic has been growing at an alarming rate is reflected in for the last few days; they have not to care for the increased numbre of dead. Many of the floral shops receive so many orders for flowers for the dead that they are advertising that they can fill no more. Doctors are overworked and a great many of them find t impossible to answer all the calls Nurses are at a premium.

Just what the actual conditions are in the situation here is conjecture, but activities are increasing to care for the constantly growing number of cases. tem for relieving the overtaxed hospitals operation, and additional beds are provided in hospitals. Department of Health pleads for

nurses and domestic help and fire. There are not enough loctors, and it is a problem as to where the needed number may be gotten. The Federal Government has not been called upon for aid as yet. Dr. Copeland said yesterday that it is not needed.

Help for Munitions Workers.

An appeal for assistance for the patients suffering from influenza among the munitions workers at Hopewell, Va., where there is at I at one case in every family, was mad, sterday to Charles B. Townson, he I of the industrial department of Y. M. C. A. War Council

Council.

Five men we fined in Hariem Court vesterday for spitting on the platform Mrs. Theodore Abbott, Martinsville, of the elevated station at 129th street.

While delirious from influenza, which helping to rescue people during the exteredoped into pneumonia, Kassimir plosions. He leaves his wife and two leveloped into pneumonia, Selyanski, an Austrian, who Selyanski, an Austrian, who loarded with his brother at 192 North Seventh street, Brooklyn, leaped from a front window and was impaled on an iron picket fence. He died soon after.

Solomon Jones, 44, of 122 Bedford avenue, Brooklyn, while ill from influenza became insane and tried to leap from a window. He was taken to the Kings County Hospital.

Department's Health Table.

This table given out by the Depart-cent of Health is admittedly inaccurate, and by the new system of doubling each figure, except the deaths, should be multiplied by 2, in order to arrive at a measure exactness to the actual number of cases in the city.

INFLUENZA-NEW CASES. Nightharian Wed.
Nightharian 222
The Brooklyn 1415
Spicens 409
Richmond 111 1 723 Potats 5,112 4,925 201 Increase, 158 cases. PNEUMONIA—NEW CASES.

Manhattan Wed. Tues. The Bronn. 391 243 Recoklyn 5. 24 24

Influenza Under Control in Camps, but Increases Among Civilians

W ASHINGTON, Oct. 16.—Continued recession of the influenza epidemic at army camps led Secretary demic at army camps led Secretary of War Baker to express the opinion to-night that measures taken by the Surgeon-General's department had brought the disease under control.

Despite the improved situation among the soldiers the epidemic apparently still is spreading among the civilian population in all parts of the country. The greatest improvement was reported from New Jersey and Vermont. Estimates made to-night placed the number of cases in Connecticut at 110,000, while Virginia was reported to be suffering under a total of 200,000 cases,

Government clerks here began to-day the wearing of gauze masks in the street cars and while at their desks. The masks also were in general use in the barber shops and to some extent in other public places.

Up to noon to-day only 710 deaths were reported in army camps, a decrease of 179 over the day before. New influenza cases in the camps numbered 5,668, against 6,498 the day before and against nearly twice that number only a few days ago. Since the beginning of the epidemic there have been a total of 262,186 influenza cases reported from all the camps, 39,276 cases of pneumonia and 12,340 deaths.

Deaths in Washington in the twenty-four hour period ended at 9 o'clock to-night numbered 87, a decrease of 1 from yesterday. New cases of influenza and pneumonia fell off sharply to-day, the number reported being 932, compared with 1,483 yesterday. City health authorities emphs sized, however, that most physicians were too busy to make reports on new cases, and that the number of deaths must be taken as an indication of the incidence of the malady.

DISEASE ABATES IN BOSTON.

Will Open Next Monday.

Reports from 108 cities and towns for the twenty-four hours ended at noon

gave a total of 206 deaths and 5,954

new cases. In Boston 67 deaths and 249 new

cases were reported, compared to \$4 deaths and \$87 new cases yesterday, New appeals have been issued for nurses and physicians. Public schools,

which have been closed for three week

will be reopened Monday, according to present plans. At the same time the ban on theatres, motion picture houses.

saloons and soda fountains also will be lifted.

DIES WHILE FIGHTING GRIP.

Dr. Charles Rittenberg, Port Ches-

ter, Victim of Epidemic.

and chief examining physician of that body, and weakened in his efforts to save others suffering from the disease.

Physicians Association of Port Chester.

the Westchester Medical Society and the New York State Medical Society.

survived by his widow, one son and a

TAMMANY FIGHTS PLAGUE.

Organization Placed at Disposal of

Health Department.

an inspection and report all cases of the disease and submit to the Health

Department records of persons who need

PLAGUE SPREADS TO MEXICO.

Death Toll of Influenza Heavy

Among Poor.

Et. Paso, Tex., Oct. 16 .- Spanish in-

ported to be heavy because of the living

In the valley settlements on both sides

of the border many Mexicans are dying

and native carpenters are working night

Deaths Increase in Philadelphia.

PHILADELPHIA, Oct. 16 .- The epidemic

umonia. New cases of influenza nbered 1,686, against 1,990 reported

ASKS SALVATIONISTS

Hand for 222 Bodies.

conditions among the poorer classes.

medical or other attentio

and day making coffins.

nmany chilsted last night in the

a letter from Dr. Royal S.

served two terms in the national House from the St. Louis district. He was re-479 49. nominated at the primaries in Augus DEATHS. Wednesday.
Influ. Pneu.
. 110 127
. 23 41
. 101 124
. 23 27
. 11 Schools and Places of Amusement

Totals \$17 216 Total deaths Wednesday, 633, Total deaths Tuesday, 558, Increase, 75. Jersey Conditions Improve.

A report compiled from all parts of In answering this question let us estimate that the average duration of the disease is seven days. I doubt if the cases of influenza and 307 deaths from this disease, exacting a death toil of approximately 1 per cent, and 3.352 ment. The total number of cases recases of pneumonia, with deaths number of cases ree total number of cases re-cases of pneumonia, with deaths num-physicians for the last seven bering \$92, which is approximately 26

It is believed by the New Jersey med-ical authorities that the disease has reached its crest. Conditions are de-plorable in Perth Amboy, where thousands were exposed during the explosion at Morgan. Reports from some parts of the State are encouraging, for they shot

There were 44 new cases of influenza. 21 of pneumonia and 9 deaths reported from Camp Upton, New York, yester-

Dr. Charles H. Ellis, Jr., a pharmacist day afternoon from pneumonia. President Wilson relieved the situation

somewhat in Butler, N. J., when he caused the War Department to grant a fifteen days furlough to two of the four physicians there in order that they might remain and treat influenza pa-tients instead of reporting for duty in the army.

The town is so overrun with influenza en it was learned several days ago that two of the physicians had beer instructed to report for war duty the citizens held a mass meeting and subse-quently appealed to President Wilson to stay the order. The local undertakers are unable to bury the dead as fast as they receive the bodies.

Father Dougherty Dead.

The Rev. Joseph Dougherty, D. D., professor of theology at St. John's Semi-daughter. nary, Brooklyn, is dead of pneumonta was born in Philadelphia twenty; seven years ago and was educated at St. Vincent's Seminary and afterward in Rome. A solemn requiem mass for Father Dougherty and for the Rev. John H. Carman, who died Monday, was celebrated yesterday in St. John's Church. Bishop McDonnell was present.

Grip Kills Japanese Merchant. York office of the Kuhhra Mining Com-pany of Japan, with offices at 26 Cortiandt street, is dead at the Roosevelt tive committee the entire political keys to take on weight. Hospital from pneumonia. He had been organization will be placed at the dis-a resident of New York for ten years, posal of the Health Department. The funeral will be held at 3 o'clock Election district captains in every part afternoon from Campbell's Funeral of the city will be called upon to make this afternoon from Campet and Broad-

way. Actress Is Epidemic Victim. Miss Leah Dalton, ingenue of the

"Butterfly of Broadway" burlesque company, died yesterday at the Lincoln Hospital of influenza. She was taken iil a week ago while play-There were 622 deaths from influenza ing at Miner's Bronx Theatre. She and pneumonia reported for the day end-retired from the stage several gears ing at 10 o'clock yesterday morning an ago, but returned to enable her husago, but returned to enable her hus-band to go to France. Her funeral will northern Mexico. The death toll is rebe held at 2 o'clock Friday afternoon from the Campbell Funeral Church.

Lieutenant Dies; Wife Ill.

Tient L. W. Daniels of the Quartermaster's Corps, U. S. A., died at the Raritan, N. J., Government reservation yesterday of pneumonia, following an attack of influenza. His wife is ill with the influenza in a hospital at New

U-Boat Conqueror Dies.

Capt. D. M. Taggart, an officer of the British merchant marine, who is credited | yesterday Relief centres are perfecting their plans with the sinking of a German submand getting into operation. Soup rine, died here Monday of influenza and kitchens are furnishing food to the sick pneumonia, it became known yesterday, and other needy. An ambulance sys- in June, 1917, while in command of the British steamship Celia, he was at-tacked by a U-boat off the French coast. In the battle which followed he sent the enemy to the bottom with gun

Soldier Martyr to Influenza. Harold W. Hicks, who was taking a special course at the New York University as a member of the Signal Corps, is dead of influenza at his home at Great Neck, L. I. He contracted the disease while taking care of influenza patients at the university. He was 23 years old and a son of Mr. and Mrs.

Walter Hicks of Great Neck, L. I. Blast Victim Slain by Plague. Frank A. Herman, aged 36, of South Amboy, an employee of the T. A. Gilles-ple plant at Morgan, N. J., died Tuesday night at the home of his mother-in-law, Mrs. Theodore Abbott, Martinsville, N. J. from pneumonia, contracted while plosions. He leaves his wife and two

children

Publisher's Wife Succumbs.

Mrs. Anna Allaindie Johnston, wife of William A. Johnston, publisher of the William A. Johnston, publisher of the strictions. No action was taken, how-William A. Johnston, publisher of the strictions. No action was taken, howMetion Picture News, died last night ever, in the case of the public schools,
of pneumonia, following influenza, at her
home in Bradish avenue, Bayside. Mrs.
Johnston was in her twenty-eighth year
and was a daughter of Pierre Allainde,
who was for eighteen years a secretary
was issued as a result of a mandate of who was for eighteen years a secretary attached to the American legation at Constantinople, where Mrs. Johnston o the American legation at the State Board of Health.

The City Commission stipulated in its revised order affecting the ginmills that was born. survived by her son, Paul.

CONGRESSMAN MEEKER DIES.

secretary. The ceremony was performed after his physician had announced he

WILL MAKE MEAT

Cases of 234 Retail Butch-

ers at Once:

Lunches to Save It for the Army.

If the 234 retail butchers who must face the Federal Food Board on charges of profiteering are found guilty it is known that one of the penalties to be exacted will be restitution, so far as possible, of all overcharges. Restitution of this character has been

dent of the board, and Arthur Williams Pederal Food Administrator for this city, in all similar cases heretofore adjudicated by the board, and there isn't the slightest chance that any butcher odge it in the event of conviction.
the complaints against the All the complaints against the butchers are based upon evidence ob-tained by the complaint division of the board from the books of the butchers' themselves. It is assumed the butchers' demic continued to display signs of abatement here and generally in eastern Massachusetts to-day, but little change for the better was reported from western parts of the State and in the mill site. being gouged further.

Excessive Profits Indicated.

As the butchers' books in many in-stances show that they blithely de-manded of customers from 10 to 13 cents a pound more than the board's allowed fair profit, it is a foregone con-clusion that the overcharged housewife is likely to get a good sized bunch of

The Federal Food Board will be glad bear from housewives of specific cases of overcharging by butchers, an official at the board's headquarters said yester-

ay afternoon.
It is an open secret that members of the Federal Food Administration have believed for a long time that certain men in the business of selling food, who were not born under the Stars and Special Despite to The Sux.

GREENWICH, Conn., Oct. 16.—Dr.
Charles Rittenberg, 36, physician of Port Chester, N. Y., died of Spanish influenza and pneumonia in the United Hospital to-day. He was worn out by his duties as a member of local board No. 6 and chief examining physician of that but it.

put it. The first batch of butchers summon before the board to defend themselver against charges of alleged profiteering

Dr. Rittenberg was born in Sumter, S.
C., was graduated from the University of
South Carolina and the College of Physicians and Surgeons, New York, and
was pathological interne at Mount Shai
Williams. Hospital for two years. Eight years ago he went to lort Chester. He was a mem-ber of the Elks, Knights of Pythias the No More Free Lunch Cheese. If the evidence in the early cases back

up the formal complaints it is likely special commissioners will be appointed hear others in order that the calendar may be cleared in a hurry.

The Federal Food Board issued yes-terday a request to hotels and cafes to eliminate cheddar, or American cheese.

fight against influenza when Charles F. pickles and olives."
Murphy submitted to an emergency Ali public eating All public eating places were asked to refrain from buying before next month dressed turkeys where the hens Yonaman Hagimori, head of the New Copeland, Health Commissioner, asking weigh less than six and one-half pounds and the gobblers less than nine pounds The Food Administration wishes tur-

ANOTHER TELLS OF RAINCOAT RAKEOFF

Gouled Assured Manufacturer That He Would Not Be the Beneficiary.

At the trial of Felix Gouled, jobber Fourth avenue, told of his efforts to cell and the arrival of the guards in the get an army contract. After his bids were rejected by the Quartermaster's Department Rosenfield negotiated with said he lived at 826 Washingto nstreet. Gouled under instructions from the Department of Justice. Gouled and Podell for two weeks in a furnished room at 41 are accused of committing to defrand Bleooker street.

continues to gain force here. Up to noon to-day there had been reported 466 deaths from influenza and 245 from in which each should have a half in-terest except that 5 per cent of the profits should be taken by Gouled before the division. The witness testified that Gouled took him to the office of Podell, at 42 Broadway, where papers of incor-poration for the Rosenfield Raincoat Company were deserted. TO MAKE COFFINS Jersey City Finds Only 58 on Company were drawn on this basis The police of Jersey City reported yes-terday that a canvass of undertakers ing no was not to benefit through the

terdsy that a canvass of undertakers disclosed only fifty-eight coffins in the come tax upon it.

The city in which to bury 222 bodies, the come tax upon it.

"You will have to let me think about it. "You winh have to let me think about it." Podell said, according to Rosenfield. "It's a very tedious thing to monkey around with the Government."

Rosenfield also testified Gouled took thin on June 17 to the office in Greene street, last evening to help out in the situation, and the Major directed in making of coffins. It is believed that this is the first time a Salvation Army industrial home has been called upon to perform such a public service. Most of the Major's fifty "boys," as he calls that when Gouled came out of Steinthal, a manufactured materials ducked that they should apply for a rational that when Gouled came out of Steinthal, a manufactured materials quickly. Their for somewhat in the minds of New York manufacturers and jobbers yester day when about 1,200 of them in the total day when about 1,200 of frem in the Hotel Astor listened to an elucidation by Charles K. Poster, vice-chairman of the Portities on minds of the Motel Astor listened to an the Major's fifty "boys," as he calls them, are elderly men or cripples. The City Commission at the sugges-tion of Mayor Frank Hague raised the

They were driven to the office of the Quartermaster's Department, at 100 East Sixteenth etreet. Gouled, the witness said, went into the building alone The trial will be continued to-day. RUSSIAN REFUGEES ARRIVE.

merican Tells of Detention

Trotsky Called a Fanatic. Th Norwgian-Amrican stamship Staport, brought several American refugees from Russia, including Charles Aus-burg, who had been for five years rep-resenting the New York Life Insurance the saloon keepers could sell no beer or liquors to be drunk on the premises, but would be restricted to the selling of liquor in flasks or beer in containers or bottles to be drunk electrons. Company at Riga. He was detained temporarily in Finland by the Bolshe-viki on his arrival there with other

MUNITION SHIP SINKS SLAIN IN GANG WAR AS HE QUITS TAXI PROFITEERS REFUND IN CRASH OFF CONEY Liquor Dealer Attached by

Federal Food Board to Hear Naval Coslier Proteus Rams Port Philip, Loaded With Shells and Bombs.

GUILTY MUST DISGORGE BLAME MIXUP IN SIGNALS

Cheese Barred From Free Freighter Goes Down in 40 Feet of Water, but \$1,000,-000 Cargo Will Be Saved.

The British freighter Port Phillip with a million dollar cargo of munitions, including depth bombs, was sunk yesterday in a collision with the naval collier Proteus off Norton's Point, Coney Island, on the verge of the Ambros Channel, in about forty feet of water. insisted upon by John Mitchell, presi-The bombs were unaffected by the shock, and with the rest of the cargo will be raised probably in several weeks

by Government wreckers. The Port Philip, bound for a British port, came out of Gravesend Bay as the giant collier was heading eastward. The sea was unusually smooth and the air clear, although slightly misty.

The Port Philip and the Proteus whistled, and a few seconds later the

collier's prow crashed through the freighter's port quarter, letting in a flood that swiftly put out her fires and freighter's flood that swiftly put out her fires and forced her engine room force to the

The freighter's skipper, Capt, John Jack, made an effort to get the vessel into shoal water, but she went down on the edge of the channel. All hands were picked up by the Coast Guard cutter Hudson, whose commander, bleut, A. P. Wilder, had seen the collision. Some of the engineers and fremen who

stuck to their posts until driven to the deck by the rising water jumped over-board. The rest of the crew abandoned the ship in lifeboats, one of which was caught in the suction created when the freighter went down and capsized. No one was injured. The ship'r mascot, a monkey in a gray sweater, was saved.

The collier's bow was damaged above
the water line. She returned and anchored off the Statue of Liberty. It is said the collision was due to

ilsunderstanding of signals.
The Port Philip was under charter to the Cunard Line. She measured 4,060

ESCAPED BANDIT CAUGHT IN NEWARK

Richard Harrison, Whose Break From Tombs Caused a Stir, Again in Cell.

Richard Harrison, the youthful bandit who escaped from the Tombs October 4 as he was being taken to the Crimina Courts Building to be arraigned for murder in the first degree, was captured last same statute perjury could not have from free lunch counters owing to the tremendous demands for cheese by our army and our allies. The board also appealed to hotels and cares to confine their five lunch counters owing to the night near the Lackawanna Rallway statement of the Lacka their free lunch service to "crackers, street, New York. The two were taken before the Newark court in extradition

Some time yesterday afternoon New York detectives were told that Harrison had an engagement to meet a woman at one of the railroad stations in Newark Detective Patrick Slevin saw Harrison and his companion passing the Lackswanna station and arrested them.

sation and aroused the ire of Mayor appear before a Grand Jury engaged in Hylan. Harrison had gone with three an inquiry under lawful forms. They companions on the night of September ? were informed of their rights and told to the Knickerbocker Walters Club, 187 that the investigation was not directed Sixth avenue, where the members were against the lined up and robbed of \$2,100 and other Judge (

valuables. George J. Griffiths, an invalided Cana-have dian soldier, was among the victims and showed fight. One of the bandits killed them. Detective Bertram Maskill ran into the club, engaged in a close range gun fight with the bandits and killed one of them. He then arrested Harrison and in army raincoat contracts, and David another of the band. When the time L. Podell, a lawyer, before Federal came to arraign Harrison for pleading Judge Cushman yesterday Harry Rosenheid, a raincoat manufacturer of 352 where between the time of leaving his

Gouled under instructions from the De-Manhattan, but that he had been living partment of Justice. Gouled and Fodel for two weeks in a furnished room at 41 are accused of conspiring to defraud the Government.

Rosenfield said Gouled asserted he could get a contract for 100,000 raincoats for an incorporated partnership in which each should have a half in the last few could be compared to the latter address to inspect the prisoner's property. Other officers went along seeking a clue that would locate a gang that had been operating in the city with taxicabs in the last few. city with taxicabs in the last few weeks.

EXPLAINS PRIORITIES RULES. Official Advises Manufacturers to Get Rating.

The fog over the rules priorities in the production and delivery

Mr. Hirsch explained that priority and made no defense.

preference lists had nothing to do with
such other, the latter being simply lists
such other, the latter being simply lists of industries and plants entitled to pref-

BRITISHERS TO BE GUESTS. Visiting Educators to Be Entertained in Lotos Club.

A mission composed of representatives of the great universities of Great Britain and sent to this country to strengthen the relations between England and America growing out of the war will be entertained in the Lotos Club at a reception and dinner next Wednesday. Marrying His Secretary.

St. Louis, Oct. 16.—Representative Jacob E. Meeker died of influenza here early to-day following his marriage at midnight to Mrs. Alice Refomon, his secretary. The ceremony was performed after his physician had announced he from his first wife and leaves four children. Mr. Meeker was a Regublican and had.

American citizens and he says that E. Shipley, vice-chancellor of Cambridge to producing and distributing gas has risen from 70 cents a 1,000 cubic feet service agent. Was held by the Germans.

The mission is made up of Dr. Arthur of producing and distributing gas has risen from 70 cents a 1,000 cubic feet service agent. Was held by the Germans.

The mayor said recently that he would one of them, a United States secret was held by the Germans.

The mission is made up of Dr. Arthur of producing and distributing gas has risen from 70 cents a 1,000 cubic feet the Luiversity; Sir Henry Jones of the Internation one of them, a United States secret was held by the Germans.

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The mission is made up of Dr. Arthur of producing and distributing gas has risen from 70 cents a 1,000 cubic feet the University; Sir Henry Jones of the Internation one of them, a United States secret was held by the Germans.

The mayor said recently that he would out the Active Active City of Manchester; in 1914 to 82.94 cents a 1,000 cubic feet the University; Sir Henry Jones of producing and distributing gas has risen from 70 cents a 1,000 cubic feet the University; Sir Henry Jones of producing and distributing sites from from 70 cents a 1,000 cubic feet the University; Sir Henry Jones of producing and distributing sites from from 70 cents a 1,000 cubic feet the University; Sir Henry Jones of producing and distributing for from from from the River Edward Mewburn Walker of 1914 to 82.94 cents a 1,000 cents of first six months of 1915. The company is f

-Two Other Shootings.

James Kennedy, 25, stepped from a James Kennedy, 25, stepped from a taxigab early yesterday at Second avenue and East Twenty-seventh street. Four men ran from the shadow of a building. Two fired at close range. One builet entered the left side of Kennedy's neck and the other penetrated his heart. Patrolman Charles Wangerman reached the street almost investigate. the spot almost immediately. Kennedy staggered toward him and said:

"I have been shot."
Then the man collapsed, and before ar ambulance could take him to Bellevue Hospital he died. The four men in the meantime had hastily entered the same taxicab that Kennedy had occupied and the machine went away with them.

A saloonkeepertood the police Kennedy had been in the liquor business. The police were told also that he had lived in

Horatio street, between Hudson and Greenwich streets. The murder was a chapter in a new downtown gang war which started earlier in the night in a saloon near Hudson and Tenth streets. Four men entered and Tenth streets. Four men entered the place and began firing at twenty-five men patrons. William Lawlor, 659 Washington street, was struck four times. Soon afterward Joseph Melilllo, 27 Grand street, was shot when standing at York street and West Broadway.

NEWBERRY MEN ARE PAROLED ON APPEAL

Judge Clayton Dismisses Habeas Corpus Writs and Upholds Commitment.

Judge Henry D. Clayton in the Federal District Court dismissed yesterday the writs of habeas corpus issued for Allan A. Templeton, Frank W. Blair and Thomas P. Phillips, Detroit witnesses, who refused to testify before a Federal Grand Jury in relation to the campaign of Lieutenant-Commander Truman H. Newberry for the Republican nomination for Senator in Michigan.

The court sustained the commitment of the three men to the Ludlow street jail as contumacious witnesses, but pa-roled them, pending an appeal to the United States Supreme Court by Martin W. Littleton, their counsel.
In obtaining the parole of the wit-

nesses, Mr. Littleton promised to have the appeal papers ready in twenty days. The court required the defendants to rise and with upraised hands piedge to forfeit \$5,000 each if they do not appear

Ground of Their Refusal

Templeton, president of the Detroit leamless Tube Company; Blair, president of the Union Trust Company of Detroit, and Phillips, a newspaper man, refused to testify about the Newberry campaign committee or produce its rec-ords on the ground that the Federal corrupt practices act of 1910, which with the statute against perjury was named in the subpornas, is unconstitutional. It was argued that a Grand Jury in-

vestigation based on an unconstitutional statute was invalid and that in filing statements of expenditures under the

Judge Clayton held that it was not within his province to pass upon the constitutionality of a law in a habeas corpus proceeding. He said that the Supreme Court of the United States had repeatedly declared that a hearing on a writ of habens corpus is not in the na ture of a proceeding based on a bill of

Court's Duty Outlined.

The court declared that its duty was simply to determine whether the pe-titioners had been deprived of their libanna station and arrested them. erty filegally. He said the witnesses Harrison's escape created quite a sen- were summoned in a legal manner to

> gainst them.
>
> Judge Clayton added that the one ground woon which the witnesses might have refused to testify was the fear that their testimony might incriminate

> The Grand Jury inquiry was n short by the refusal of the Newberry men to testify. A number of witnesses have testified since Templeton, Blair and Phillips were presented to Judge Edward E. Cushman, who committed them

BRITISH SLACKER HELD.

Son of Wealthy Merchant Ordered to Camp for Duty.

Robert D. Gibson, 23, who said that s father sent him to this country from England in the hone that he would escape the fate of his two brothers, who vere killed on the same day in France. Gibson has been receiving an allow-ance of \$100 a week. He lived at vari-ous hotels. His father is said to be an whose house has

branches in Australia. MIDGET ASKS DIVORCE.

Actor Has Son, 5, Already as Big as Himself.

John W. Barnett, a midget vaudeville actor, sued his wife, Dorothy D. Barnett, for divorce, before Supreme Court Justice Benedict in Brooklyn yester-day. Barnett, who is less than three feet tall, was compelled to climb into the witness chair. Arching his over the witness "box." he told court he was married in 1912. Mrs. Barnett is a full grown woman and

in 11 East Twenty-sixth street, Manhat-tan, was "glad to get them." On other occasions she expressed a desire "to be There is a son, John, five years old, who is already as hig as his daddy

GAS COST SOARS IS PLEA.

Kings County Company Fights 80 Cent Rate.

John F. Blanchfield, auditor and assist ant secretary of the Kinga County Light-ing Company, introduced figures yester-day before Supreme Court Justice Samuel

STANDARD OIL STIRS The Sun Calendar **BUDGET WRANGLING**

Mayor Objects to Comparison of City Payroll With That of Corporation.

SCHOOL BOARD YIELDS

Building Programme and Salary Increases Not Pressed by President Somers.

Board of Education and the Public Service Commission were the most important considered at the public hearing of the Board of Estimate yesterday. There was a heated wrangle between Dr. Charles Norris. Chief Medical Ex- Texas coast. aminer, and the Mayor and other members of the board when the doctor

Budgetary appropriations for the

the Union of Stationary Engineers, appeared to inquire if the prevailing rate of wages was to be maintained for members of his union. He exhibited pay envelopes of the Standard Oil 16 A. 3 Company to show that it was paying more than the city. more than the city.

"We can't compete with the Standard Oil Company," said the Mayor. "It can the city until this administration came into office. As soon as we can get back some of the money the old administration wasted maybe we can raise salaries."

A little later Mr. Healy referred again to the Standard Oil. "Ob, please, talk about something else!" the Mayor snapped.

Mayor Stands by Flynn.

Dr. Norris was pleading for an as-sistant, saying that two of his examin-ers were sick and that his force was overworked because of the prevalence of influenza. He could not seem to understand that by the time the money from the new budget became available the epidemic would be over.

The Medical Examiner seemed to think in some way Acting Borough Pres-

ident Flynn had prevented serious con-

deration of his requests for additional appropriations and intimated that some imes the statements of Mr. Flynn could not be relied on." "We have the highest confidence in Mr. Flynn," said the Mayor, "and will not permit that sort of language here. Then there was a general exchange of pleasantries, and the Mayor finally sug-gested that Dr. Norris withdraw his re-marks about Mr. Flynn, so that they

might be expunged from the minutes.
"If you wish them withdrawn I will be glad to comply with your wishes," said "If it is necessary for me to make a request." said the Mayor, "the action will be of little value. If your request did not come from the heart the words had better stand."

President Somers of the Board of Education said they had given up the idea of increasing the salaries of asso-ciate and district superintendents and principals and the \$200 and \$600 increases for teachers had been abandoned, but they did think that all teachers getting no more than \$1,800 a year should have an increase of \$100 a year.

Drop School Building Programme. The building programme, involving an expenditure of \$5,000,000, the Board would not press, President Somers said, because of the attitude taken by the War Trade Board on the supplying of

materials. The Board was also willing to curtail its schoolbook estimate in view of war necessities.

Dr. S. M. Berg, representing the West End Association, asserted that with a good board of bankers he could furnish for \$32,000,000 as good education for

the budget committee had severely slashed the budget and it was suggested by President Hubbell that his board and he city authorities could get together before the first of the year and come to an agreement. He insisted that are a second amount as put in by his Board was established by the second by by sential and had already been reduced by by second 1800,000. an agreement. He insisted that the

the Commission by over \$800,000. COP'S TIME WORTH \$1 MINUTE.

Magistrate Fixes That Rate in

Fining Lonesome Man. pleaded guilty vesterday to wearing itlegally the uniform of a United States
Army Lieutenant. Judge Julius M
Mayer of the United States District
Court directed that he be taken before
Local Board No. 100 in Hudson street
and inducted into the army in accordance with a policeman.

Social intercourse with a policeman,
by which a lonesome person may pass
the lagging minutes, is worth just \$1 a
onstrations
The Political Machines. Scale court, fixed the union conversation
ment, by the Hon Joseph of
member of State Legislature 1.

Said he lived at the Hotel Belmont, was
arraigned upon a grantered Social intercourse with a policeman, ance with the treaty with Great Britain, arraigned upon a charge of disorderly

Patrolman Lamouree said that he was at Columbus Circle Tuesday night when Holden approached him five times in fifteen minutes and inquired what time Bis

"I was lonesome and wanted some-body to talk to," said the man. "You annoyed this officer for fifteen minutes," said the court, "and I'll fine SAYS BROOKLYN IS LIKE JAIL. The whole court crowd roared, and the Magistrate joined in the laughter, when Holden asked, as he paid his fine:

DOUSE THAT GLIM. HE BRIGHTLY URGES yesterday. The learned jurist, a resident of the borough of his Fuel Official Says Needless Lights Waste Coal.

The burning of unnecessary electric lights means a waste of coal, and there-fore Mercer P. Moseley, chief of con-servation of the State Fuel Adminisservation of tration, says;

"Now, please:
"Do not burn more lights than are necessary for your purpose. "Do not leave any light burning when

THE WEATHER.

For eastern New York and New

For New Jersey, fair to-day and importance in temperature, light west winds.

For western New York, fair to-day and probably to-morrow; not much change in temperature.

WASHINGTON, Oct. 16.—The Guif dis-turbance has made no progress inland in the last twenty-four hours. It is appor-ently about 150 miles off the Louislana const.

In the United States proper a cyclenical disturbance has reached Minnesota from the Canadian Northwest and pressure is also low over the middle Atlantic States and the southern plateau region. Hagains fallen in Florida, along the Guif coast and in the north Pacific States. Lisewhere the weather has been fair and unusually dry.

dry.

Temperature has risen somewhat in east ern districts and the Missouri Valley and is generally above the seasonal average is all parts of the country.

The Guif disturbance will cause rain in Florida and the sast Guif Hates daring lienest forty-eight hours, but cleewhere and the Mississippi generally fair weather with temperatures slightly above the average, may be expected Thursday and Priday.

LOCAL WEATHER RECORDS am J. Flynn, who was sitting as actng President of The Bronz.

Timothy P. Healy, national head of he Union of Stationary Engineers, apsared to learn the Bronz to the Bronz to the Union of Stationary Engineers, ap-The temperature in this city as recorded by the official there shown in the annexed table:

8 A. M. 48 I P. M. 64 9 A. M. 59 5 P. M. 67 10 A. M. 54 8 P. M. 69 11 A. M. 54 8 P. M. 69 12 M. 65 5 P. M. 68 1918. 1917 9 A. M. 50 27 6 P. 12 M. 62 6 9 P. 12 M. 69 66 12 M. 1918. 1917

Highest temperature, 70, at 2:50 P. M.
Lowest temperature, 48, at 7:35 A. M.
Average temperature, 59.
Observations yesterday by the United States
Westber Bureau stations showing atmospheric condutions in the various cities:
Temperature Veloce Observations of the various cities:

Temperature Veloc Temperature

MINIATURE ALMANAC United States Coast and Geodetic Surrey—Standard Time.
Sun rises. 7.99 A M Sun sets. 614 P M
Moon sets. 118 A M
HIGH WATER THIS DAY.

LOW WATER THIS DAY. Sandy Hook, 12:19 A M Gov. Island, 12:49 A M Hell Gate 2:09 A M Note—The foregoing table has been corrected to conform to the new "artificial time."

EVENTS TO-DAY.

Daughters of Empire State, meeting Waldort, 2 P. M.
Serblan Committee, Liberty Lean meeting, Waldorf, 8 P. M.
Meeting of Weat 130th Street Neighborhood Association, 15 West 130th street, 8 P. M. S. P., M. John Calder speaks on "Modern Methods of Airplane Production." Aeronautica. Society of America, 29 West Thirty-minus street, 8 P. M. reet, 8 P. M. Farewell dinner to Gen. W. A. Will-lta-Carleton Hotel, 7 P. M. Baroness Frances Wilson Huart speak the auditorium's concert, Wanamakers 30 P. M. at the auditorium's concert, Wanamakers 2:30 P. M. Scott Nearing lectures on "The Cas Struggle," 7 East Fifteenth street, 8:17 P. M. P. M.
Brooklyn Institute—Barrett H. Cartiectures on John Galsworthy, the Manand the Artist," 4 P. M., and a forum of the Institute of the Manand the Artist," 4 P. M., and a forum of the Institution of Russia: The Effects of the Revolution, the Aims of the Bolshevill as the Intervention of the Aims of the Bolshevill as the Intervention of the Aims of the Bolshevill as Rosens. Interary editor of the Independent and associate professor of the School of Journalism, Columbia University that a series of six lectures on Current Movement, Foreign Affairs, 202 Havemer Hal. 415 P. M.
Lecture, filiustrated by colored lanear 115 P. M. Illustrated by colored laner slides. Herote Belgium: Its Story in the tory and Architecture. Arthur Stanier Res-Horace Mann Auditorium, 8:15 P. M.

PUBLIC LECTURES TO-NIGHT

MANHATTAN. Austro-Hungary," third for \$32,000,000 as good education for the children of the city as the present Board of Education did for \$46,000,000. He opposed increasing the teachers' salaries, declaring that they were getting enough and should not be raised faster than their yearly increment. A further discussion of the school budget will take place in executive session today.

Fresident Hubbell, of the Public Service Commission, asked that the budget of that body be withdrawn from consideration, as it is not under the law a part of the city budget. It seems that the budget committee had severely slashed the budget and it was suggested by President Hubbell that his board and School 46, 156th street and convenience were a convenience of the two thirds of a nourse of salestiffs on War," by Payatie 1, Moyer of the Witt Cinton High School, Funds 228 East Fifty sevent street. War and Your Littly to Your Young by Co., Edwin A. Haver, Fully 262, Hester, Essex and Norfalk and Streets House, 158 and Norfalk and Streets House House, 158 and Norfalk and Streets House, 158 and 1 "War and Your Duty to Your by Col. Edwin A. Havers, Full 62. Hester, Essex and Norfolk Stereoptions views.
"Our New Water Supply, Hon. Charles N. Chadwick, Comm. Board of Water Supply, Fublic 8: 225 West 108th street, cast of Broad Simplicity of Music Study are can Conception," taird of a source lectures on "Real Music Edd and Mrs. Mary Gregory Murray, Labor "southwest corner of Fourteenth street, and avenue. Thestration by compositions, charts and blackboar onstrations.

"Thomas Carple" second from lectures on "Modern Democratic by Dr. John Democracy, by Dr. John Morris High School, 166th ew York of Ta-Morrow, chard, Public School 3 "The fifth time I refused to tell him and he uppercut me on the jaw," said the policeman.

"Why did you do that?" asked the Magistrate.

"I was longered."

"I was longered." then Views.
The United States Coast Guerd.
Arthur K. Peck, Public School street, Pinday and Toler Stereoption views.

Justice Lazansky Makes Decision "Would you please tell me the time, officer?"

in Case of V. St. J. May !-

The age old question regarding it means to live in Brooklyn v termined definitely and for all " Justice Lazansky in the Supreme riages and rubber plants, said the enjoyment of one's freedom is lyn is the equivalent to being Having gone that far Justice Late-sky vacated an order calling for the c amination of Virginius St. Julian Mak New Haven manufacturer of strike and automobile radiators, as financial status. The application made in behalf of Mrs. Wilhelm Meyer Mayo, who for eleven year with Mayo at New Haven, a learn after that time that he had other wife living She caused Mayo's arre-

because he falled to satisty a first far \$100,000 which she stated was released in bonds of \$2,000 granted the treedom county. After studying carefully Justice Lazansky fact which, in the opinion of the yirtually suspended the creditors feller

Mayo, although free on tents and purposes still wa-

England, fair to-day and to-morrow. gentle west winds,